

Wm. Haliday
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CONSTITUTIONAL INTERESTS

O F

I R E L A N D,

WITH RESPECT TO THE

P O P E R Y L A W S,

IMPARTIALLY INVESTIGATED.

D U B L I N:

PRINTED BY J. MOORE, NO. 45, COLLEGE-GREEN.

1791.

CONSTITUTIONAL INTERESTS

OF

THE PEOPLE

AND THE STATE

BY JAMES M. SMITH


NEW YORK: PUBLISHED BY

THE AUTHOR

AT THE OFFICE OF THE AUTHOR

1850

☞ The Author thinks it proper to declare that no part of this Pamphlet has been written with the concurrence, or at the sollicitation of any of the body, who are the subject of it. It is merely the act of an individual, who chusing to amuse his leisure with political speculation, has fixed on our treatment of the Roman Catholics as meriting a discussion, and claims the privilege of a Free Citizen to deliver his Sentiments to the Public.



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DEDICATION.

TO THE

RIGHT HONOURABLE

THE EARL OF CHARLEMONT.

WHEN a Project is brought forward, professing to advance the Prosperity, and more firmly to secure the Constitution of Ireland, the looks and thoughts of men are naturally directed to Lord Charlemont. To a Patriot Nobleman whose life, his labours alike and relaxations, have been consecrated to the service of his country. In the field, in the senate, in the cabinet ; mingling literature with arms, tempering politics with philosophy ; neglecting when the

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public exigencies required it, the cultivation of an elegant mind to join in military exercises, and set the example of assiduity and ardour ; returning, when the necessity had passed away, to encourage Science in the land wherein he had planted freedom; erecting the temple of Liberty, and courting every Muse to decorate the edifice ; excuse, my Lord, this intrusion; there is a sort of established prescription for soliciting your notice when Ireland is the object, and the theme is freedom ; it is a ransom exacted for the most enviable situation any man can be placed in, loved, admired, and venerated by an entire people.

I am aware, my Lord, that on a former occasion, you did not seem to concur in that sentiment, which it is the object of this Essay to impress and to disseminate ; if it were my design to flatter, I should turn with a courtier's precaution, from this contrariety ; but relying on your Lordship's candour, I recall the subject, with the language indeed of expostulation, not of censure, for how, should I censure the man, who opposes to reproof the seven-fold shield of public virtue and private benignity ? To your understanding, my Lord, there is a more direct avenue than by panegyric ; let it stand as the most ample testimony to your good sense, that you are requested to reconsider an opinion once delivered, and of your importance in the nation, that discussing a great state question, it is my wish, to make your Lordship my first proselyte. So deeply rooted are our antipathies, to many amongst us, the very name of Popery is an abomination ; they start at the most remote hint of indulgence to that hated people ; such considerations

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derations could have never influenced Lord Charlemont ; when my Lord, the authority of your great name, was opposed to the career of liberality, the intended alteration must have appeared inexpedient ; I know that many wise and honourable persons, who like you, feel warmly for the rights of mankind, entertain a sentiment, as if Roman Catholics are not sufficiently prepared to receive the seeds of civil Liberty ; I cannot assent to this doctrine, and upon this, as well as upon other parts of the subject, may I indulge my vanity with a hope that additional lights are to be offered ; yet should I fail in impressing on your Lordship the wished for conviction, I must continue to respect, in a virtuous mind, what I am constrained to class among its foibles.

“ Brutus says they are ambitious”

“ But Brutus is an honorable man.”

It will be, amidst the improvements of a future period, that the parties, which now distract the country, shall be extinguished ; and the motives which at this day indispose very honest men, to the cause of the Roman Catholics be neglected or forgotten ; the stream of time as it wafts to posterity, the events of this important Æra, will not buoy up the various feelings, by which individuals are actuated ; when at that day, my Lord, History, records your name amongst the illustrious worthies, who have used their rank, but as the instrument of public advantage ; with the Hornes, the Egmonts, and the Nassaus, or with your own Rockingham and Saville ; it will be a matter of amazement, why the benevolent friend of mankind

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should acquiesce in what then will appear unjust privation ; the disinterested and enthusiastic Patriot should countenance what will seem not calculated to promote his country's interests ; on this side alone will malignity attempt to whisper misrepresentation ; on this act alone will fame be silent, or as she extends the annals of your life, an example to future noblemen, on this page only will she drop a tear, and suffer it, like the disavowed victories of Conde to be torn from her record.

INTRODUCTION.

INTRODUCTION.

THE laws which punish non conformity to the established church, have, frequently, in England been boldly and rigorously canvassed, the spirit and tendency of the system laid open without reserve, and the conduct of those who uphold it, arraigned with not a little acrimony. The imperious domination which presumes to dictate to a fastidious conscience appeared in its true light to the Protestant dissenters, a description of resolute and high spirited men, jealous of their own rights, and usually not indifferent to the rights of others; in the arguments of these learned and discerning persons, (for such is the character of the presbyterian advocates) the evidence of truth appeared forcible, justice was victorious, yet was not the conviction they so successfully labored to impress, designed alike, for universal benefit; it stood rather as a barrier partially erected to secure themselves from the intemperance of prosperous bigotry, not an effectual bulwark to repel every encroachment of false zeal, machinating against the rights of man under the affectation of religion; much in the ground work was done for the general cause of liberty; in this school were first promulgated the sacred doctrines of man's

native dignity and freedom; here first were accurately stated how far society may proceed in its restrictions, and a standard was fixed to ascertain by what degree of sacrifice its proposed advantages are to be purchased: the prerogatives of conscience were fully vindicated, the exercise of judgment, on matters purely religious, were asserted not cognizable by any human tribunal. But having effectually removed from themselves the odium of imputed tenets which might subject them to the jurisdiction of the magistrate; they insinuated, that with regard to other sects the alarm was not so completely groundless, but that there did exist opinions not like their own, irreprehensible and innocent.

Que sibi quisque timebat.
Unius in miseri exitium conversa tulere.

Of this sect contemned and forlorn as it has usually appeared I profess myself the advocate. Hitherto such has been the timidity of the aggrieved party, such the force of inveterate prejudice under which it suffers; the case of the Roman Catholics has seldom been observed with an eye of steady deliberation, such as the nature of the subject merits; it has been urged rather as a supplication of indigent calamity than a solemn state question of expediency and justice, and addressed not to the good sense, but to the commiseration of their

fellow citizens. I wish to present it in the shape of a serious public concern, and not less essential in the scheme of Irish constitution, than bills (I mention these measures with respect) of reform and responsibility. We live in an age in which this discussion is to be expected, an age of benevolent attention to the sufferings of men, of vigorous enterprize and hardy speculation. In this country it particularly is called for; we press with commendable ardor to correct our form of government, and labour to model it as much as possible by the purity of perfect freedom. Whilst one part of the nation is deeply engaged in this important controversy, the other, it is to be supposed, may recollect that they too have pretensions; they may enquire, why should this boasted boon of liberty be made a monopoly to their exclusion. The requisition may be accompanied with tumult; may heaven avert the effects of such a catastrophe. The refusal may be attended with a measure of gradual, tho' not less certain ruin. A nation at our door blest with the happiest climate, at this moment free, and which shortly will be tranquil, extends its arms with rapture to receive them. Irishmen! Must your country too, stand a bleeding victim at the altar of renovated freedom? is it not sufficient that the other horrors of the sixteenth century are represented before us in the extravagance of an irritated people? Must you too enter on the scene, and to compleat the resemblance

semblance, exhibit a nation laid waste by the obstinacy of its rulers, your wealth and population compelled to seek refuge in a rival empire, and repay it for that asylum, with the hardy industry of Ireland.

Besides this obvious motive for tempering the rigour of these institutions; it is not very easy to conceive how we can expect to maintain the equipoise essential to a free state, when a very numerous body is compelled to become abjectly dependant on the executive power; vassals without political pride, political importance, or political interests.

The omen is rather unfavourable for the cause I recommend, and it will probably not be over looked as a plausible objection, that in England the demand of the most favoured sect has with some harshness been rejected. The first minister avows himself not disposed to communicate the advantages of the state indiscriminately amongst its members; of late too a proselyte has been added to this sect of politicians, a great name, the pride of literature and of his country, and from whom I dissent with more reluctance and timidity than from an host of Ministers. In this instance I venture to differ from Mr. Burke, but it is on the means of procuring happiness to mankind, our end is still the same, it is that upon which the labours of his long and honorable life have been expended.

Soli quippe vacat, studiisque odiisque carenti.

Humanum lugere genus.

It is not my province to comment on the conduct of the English parliament, I confess I have as yet seen no inducement to retract an opinion founded on that of a very able reasoner, that by inattention to religious sects you most effectually appease the rancour of religious opposition; at least it is deprived of two powerful auxiliaries, ambition and jealousy. But whatever may be the conduct of England, there is no analogy in the situation of the respective claimants. If the English parliament think fit to refuse power to its dissenters, it cannot be inferred that the Roman Catholics of Ireland should be denied protection, much less can it be argued, that because France is reduced to the necessity of taking its government to pieces, and still feels the convulsions inseparable from that awful expedient the legislature of another nation ought not coolly to hear the complaint of its subjects, investigate at leisure the nature of their grievance, and apply without commotion, the necessary remedy. It is absurd to suppose that of all human institutions government alone is not susceptible of improvement, no, the prudent politician dreads the hand which tears, not that which rectifies; he does not presume that in the imbecillity entailed on our imperfect nature, there is an exception in favour of the maxims by which states are regulated; conscious of this truth and earnest to avert the evils

evils of a government not corresponding with what ought to be its object, the happiness of the people, he will court a mild and temperate revision, accommodate his policy to the temper of the times, and not crush his subject under the weight of institutions which have survived their meaning, institutions improvidently formed by men of exasperated passions who executed, by the abuse of power, what they had conceived in the abuse of Christianity.

When the wishes of the people of Ireland are opposed, on any great design of national advantage, we usually accuse some refinement in the cabinet of England, that great nation of which magnanimity is the characteristic virtue, is supposed to depend on stratagem for its ascendant; and that too in a country inclined to proceed to infatuation in its affectionate attachment to Great Britain. It will not be necessary to insist on the profligacy of that base artifice—“*divide and govern.*” Surely those who endeavour to practice it are injudicious in the choice both of the nation and the particular instance for which they select it. Remove the causes of complaint, the effects of consequence must cease, the interest of the sister kingdoms, and the influence of connexion and property mutually intermingled, will sufficiently provide for the security of the empire; it is not to indulge ambition, or contend for a phantom of pre-eminence, that a prosperous

perous people will plunge into the horrors of civil conflict. But let the managers for English influence beware how they multiply the causes of discontent and inducements to innovation. If every subdivision into which our countrymen unhappily are rent, be angered and discontented, if the Protestant complain that his dear-bought privileges are invaded, the Roman Catholic, that he is defrauded of the common benefits of society. I dare not dwell on the prospect, it is neither cheering nor consolatory to the friends of Ireland and of the Empire. Like all other rules which compose the mystery of tyrants, I can discern little in this celebrated maxim, besides obliging those who practise it to a more vigilant policy and more minute attentions. There is another maxim not much used by politicians, but worth the whole science of their intrigues and dissimulations. "Do to others as you would willingly be done by." If by the aid of this holy precept the artifice of courts was reduced to common sense and common honesty, how much more enviable the lot of men, how much more tranquil the condition of those who govern.

If I succeed no further it will at least prove satisfactory to have removed the question from the loose invective in which it has hitherto been involved into a form of more correct and rational deliberation. The object of my essay can scarcely attract censure, it is calculated to
dissipate

dissipate the antipathies and compose the dissensions, which for two centuries, have rendered Ireland proverbially the land of faction. With the zeal which should animate a patriot, but preserving the respect to which established usage is entitled, with the boldness of an Irishman pleading for his country's liberty, firm yet I trust temperate in his expostulation; I remonstrate against what often have been pronounced errors in our domestic policy, and which have been accused of frustrating the natural advantages of our situation. I proceed still further to arraign the artifice of designing men who uphold this system; and the delusion of false reasoners, who acquiesce in it as forming impediments to the permanent and peaceful settlement of our constitution. The argument will probably be conducted with temper, it is advanced by one who takes very little concern in the pre-eminence of any sect, but who wishes to see the jurisdiction of power limited to its proper objects, and whose feelings are warm in the cause of justice and his country. Fortunate country, if mutually forgetting the animosities to which distempered times gave origin, every order of its sons were alike occupied in promoting the public welfare, and alike invited to partake in the public happiness.

C H A P. I.

Of the general rules which should guide a Legislator in imposing penalties.

THE Legislature in the British constitution is usually pronounced omnipotent ; we know it is true of no tribunal paramount to parliament, and competent in the first instance to revise or to annul its ordinances ; but still there lies an appeal to public opinion, by this discriminating circumstance the free is distinguished from the despotic government ; and the institutions of the British nations have been peculiarly provident to maintain it. The legislator is bound in every instance to exercise his trust with a view to preserve the harmony of the state, and to promote the happiness of the individual, and is responsible with his reputation for the exact performance of this duty.

Whereas in the case of the Irish popery laws the sacrifice exacted is of rights essential to man's well being, and the penalties imposed wrest from him the very first advantages he
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could have hoped to procure by political association, it becomes a task more indispensably incumbent on persons in authority to justify their conduct; there surely exists no internal and decisive evidence, why a man for having been educated in the Roman Catholic faith becomes of necessity unworthy the confidence of society and ought to be excluded from its advantages; and convincing reasons should indeed be offered, to account for what otherwise must be admitted somewhat paradoxical, that in a free state there is suffered to arise a great landed, and a great monied interest, not connected with the constitution, not participating in the blessings of liberty, nor by any means concerned to preserve them. I cannot admit as sufficient what sometimes is alledged that good order is preserved by maintaining a subordination of religious parties, no religious opinions, nor the consequences of any religious opinions are as likely to prove subversive of good order as are breach of faith, seduction and adultery; crimes against which, it would seem without detriment to the state, there is not denounced any similar sentence of exclusion.

It cannot be denied that the popery laws are some kind of national injury, and a very severe hardship on the individual sufferers; this question then of necessity arises, is there any counterbalance of good by which these evils are compensated? It is my opinion there is not, and this opinion from a fair statement of
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their presumed benefits, and certain inconveniencies, I shall endeavour to corroborate. It will I hope not be denied that Roman Catholics like other men are governed by their passions and their interests, and that in the pursuit of either, they do not like wild beasts rush upon their prey to the risk of destruction, but are guided like the rest of men by rules of common sense and of expediency.

If nothing can be opposed but that stale repetition of invective and prejudice, of childish surmise and visionary apprehension, which constitutes in general the accusation against Roman Catholics, my argument will strongly plead for the reversal of the attainder under which they suffer, and with the more force, as we happily live in a state of society in which government ought not to be reduced to the despotic expedient of securing on suspicion; in Turkey such a necessity might arise, but the politics of the divan will scarcely be offered in the British empire as a precedent or model; our rational and equal liberty gives to every man a similar interest in the public harmony, and both its internal force, and the affections of its subjects, bestow incontrovertibly upon our government, a sufficient degree of energy to dissipate every project against its peace, to defeat even overt acts, and animadvert upon the abettors of such designs with exemplary vengeance.

C H A P. II.

*Of the hardships inflicted on the Roman Catholics
by the Popery Laws.*

THE definition is not too extensive, which describes the disqualifications imposed in Ireland on Roman Catholics, as amounting to an utter exclusion from all that can cherish the fine emotions, or soothe the laudible ambition of the noble mind ; from whatever imparts its energy to courage, to integrity, firmness, to genius and animation ; that in fact, they constitute an ordinance of state, forbidding two thirds of the Irish nation to consider themselves as men of principle or freemen.

But through the entire system this characteristic is predominant, that power and confidence are rigidly withheld, and a line drawn between these who are the objects of coercion and all the other members of the community ; that the most profligate of the reformed sects is presumed more trust-worthy, than any however reputable of the unfavoured religion, and that these latter are, upon all occasions exposed to the contumely of this mortifying supposition.

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Thus by withholding from them the elective franchise, they are pronounced unfit to act as trustees for their own and for their country's liberty.

They are precluded from the hope of advancement thro' the medium of the active professions, and from the emolument which less ambitious industry might obtain in the distribution of public employments.

They are stigmatized as suspicious persons; to whom the prudence of the legislature is obliged to deny the ordinary protection of using military weapons.

The midnight robber if repulsed in his attack, is enabled to exchange his character by day, and to expose his victim to a legalized injury, perhaps more severe than could have been inflicted by his depredation.

Let me not be told that this penalty is rarely inflicted; the cant of the present day is liberality of sentiment, and conduct, as twenty years back it was the dangers of popery, and the necessity of preventing the growth of it; it is not impossible that the caprice of twenty years hence, may restore the original order of precaution and jealousy.

Neither can I admit it as much consolation, that a dispensing power is conferred on government, it still remains a subject of just complaint to the sufferers, that a rash and unnecessary mark of opprobrium is set upon their body; that the relief to individuals

duals is rendered precarious by the forms of application, and burdensome by the perquisites of office. To the nation at large it must become an object of serious consideration, whether, as with the rising prosperity of Ireland, the property of Roman Catholics becomes extensive; so dangerous an engine of influence should be entrusted to the executive government.

To share in the rotation of public offices, according to the nature of his qualifications and his merit, is a pretension which every citizen is authorized to offer. We contribute with more cheerfulness our quota to the public exigencies, when we recollect that from this fund, perhaps a son or brother absolutely does at present, or is likely at some future day to derive the means of honorable subsistence, and thus in the emolument of close connexions, the burden of taxes is alleviated; from this consolation, faint and frivolous as it will naturally appear, the Roman Catholic, by the special interference of the legislature is precluded; an act of rigour the more unwarrantable, as the Sovereign alone is the dispenser of this public bounty, and there is no great reason to apprehend, that even without the admonition of an Act of Parliament, he would not, in case of danger, provide with sufficient vigilance for his own security.

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The prohibition to embark in the most enviable professions, challenges its place in this investigation. To a Roman Catholic of ordinary means, unless he will consent to a wasteful partition of his property, that which to others is a source of pride and consolation, his children are a burden ; closed to them are the avenues, which lead from the middle, to the superior ranks of life, the fascinating career of intellect and genius.—In the various walks of traffic, to which this people are limited, it is idle, nay, dangerous, to engage without a natural bias, or habits strongly impressed by education ; let but the accident of birth or early prejudice, fix firmly in the Romish faith a mind naturally intelligent and active, the vigour which should have signalized itself in the field, the fertile soil, in which imagination had luxuriantly sprouted, and good sense been cultivated with advantage, produces but an outlaw, a vagabond or bankrupt. Of the ill policy of refusing, in the military departments the services of our Roman Catholic countrymen, the brave fellows, who distinguished themselves in every part of Europe, have frequently been cited as evidence ; of the imprudence of that conduct we received not long since at home, a lesson sufficiently instructive, when every gale was expected to waft the horrors of invasion to our coast, and in the general depression of the empire, the people of Ireland addressing themselves, like
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the ancient Britons to their accustomed protectors, were rebuffed like that people, with a tale of miscarriage, a picture of distress, and a confession of inability; in that day of confusion, we were obliged to forget the boasted wisdom of our fathers, and the effects of it; these precious institutions; we had no inclination, no leisure to consult a catechism, a martyrology, or a legend, to decide what measure of confidence might be reposed in men, when the stake is all that is dear to them.—But recollecting for once the natural force of the state, we called on these insulted and injured Papists, to defend a country, in which they are not cherished. This was not an hour to deem the sword a dangerous delegation, or hesitate at that language of fraternal concord, which the arrogance of even very late times has held degrading.—The Roman Catholics did not hesitate, what line of conduct was to be pursued, they came forward without reluctance, and to their decided interposition, Ireland was at that day of terror indebted for its preservation.—Disappointed in the expectation of support in the country, France abandoned as hopeless a project long designed, and for which the measures had with no little prudence been concerted. But mark in the sequel, the retribution offered to these excellent citizens.—Happy had that peril proved for Ireland, if as it swept the vermin of peevish apprehensions from the land, the storm

storm had terminated their existence ; they returned as the horizon grew serene, to indulge in the sunshine, and marr the fair prospects of our tranquillity.—Popery again became formidable.—When we stood no further in need of their services, we found time to doubt the good intentions of the Roman Catholics.—The arms intrusted to them were in general recalled, and themselves discarded from most volunteer corps in that part of the country, which had immediately witnessed their exertions.* In the only instance, when they might have betrayed their country they were trusted, in the face of that enemy, whom their prepossessions were supposed to favour they were embodied. Carested and confided in, when their treachery might have consequences ; treated with mistrust and scorn, when their sanguine efforts must necessarily prove abortive : Whence this whimsical overflow of confidence, this unnatural return of suspicion ? let those reconcile the apparent inconsistency, to whom the bondage of their equals seems of little moment, and who attempt to justify it by some plea of wisdom, or appeal to expediency. I admit there is a noble disdain of selfish considerations, to which minds of a superior order are not strangers, which shines out when the heart is touched by its most delicate susceptibilities ; it exists in love ; it is to be found in friendship ; it is to be accounted for by patriotism ; regarding what

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* This happened in Cork, June 1779.

is pecuniary ; it is an ingredient in ambition—but such are not the feelings which influence the mass of mankind, warped somewhat by passion, they pursue their interests.—Community of faith, a bond, which divested of other inducements, seldom proved of much avail, has at this day lost much of its usual efficacy ; I cannot grant, that men ever do become so negligent of their concerns, as to tempt an enemy amongst them, merely, because he agrees with them in some articles of creed and discipline ; but completely to refute those who assert, that their country cannot depend on the affections of the Roman Catholics ; I will suppose the case for an instant possible ; if their misplaced affections have deviated from what duty dictates, they must surely have some object. If it is not France or Spain, the only powers, to whom they might reasonably attach themselves, I should gladly be informed, who it is ?—That it is not either is sufficiently evinced by the circumstance I allude to ; if these courts had adherents in the country, a secret intelligence must have been established, and never could a more favourable opportunity occur to profit of our divisions, than when the persons on whose dispositions they could rely, were absolutely prepared with arms to receive them.—In fact, no such inclination, no such intelligence at the time were even hinted at ; it was supposed, and the supposition proceeded no further, that the poor, because they are desperate, would

would become outrageous. Why then was the old system of rigorous coercion revived against men, who in the season of danger and trial, had proved themselves with so much constancy? To me there seems more of principle in the brutality of fifty years back. However erroneous the judgment of those, who at that day harrassed the Roman Catholics; however censurable their demeanour, it was consistent throughout. On every rumour of invasion, the members of this obnoxious sect were treated with rigour, and their places of worship levelled; but even in that conduct, there was somewhat more, than bare-faced imposition; than a wish to exercise dominion, and as a pretext to preserve it, an affectation of terror, which in the perilous situation, that must have discovered our genuine sentiments, was admitted hypocritical and groundless.—After the manner in which we have borne these two extremes of peace and danger, no comment is wanting to explain the motives. There are certainly well-meaning persons deluded by false apprehensions of property, and the establishment. On each of these topics, I hope to give ample satisfaction, too many are led away by the incense their vanity receives in the consciousness that they mix with men, whose influence on the state, is to their own comparatively diminutive, whom they are authorized to treat with the arrogance of protection, and from whom they may receive the homage of dependance.

From the professions connected with the administration of justice, the Roman Catholics are alike, I know not under what pretence, excluded. These are not offices created by the state, or rewarded by public bounty. They are merely the honorable means by which a man seeks emolument, and pointed out by his natural or acquired accomplishments. To debar them from this source of wealth and mode of industry is an hardship. It is not less so, that a man in his own cause is refused permission to employ the talents of his son or brother.—As in the exclusion from public offices, so in this instance, an additional pecuniary burden is imposed on the professors of this religion; he must feel the disbursements of litigation doubly severe, who recollects that the profusion is to the emolument of strangers, and that no part can possibly be brought to circulate in the little community of his close connexions.

The right of being represented in parliament, is not as some persons weakly or wickedly insinuate, a bauble that attracts septennial respect, and soothes the short-lived vanity of the proprietor.—The elective franchise is the soul of freedom; the vital principle, which circulates through the body politic, a stream diffusing animation, nourishment and vigour; where it exists not, the *people* is inert mass, where the salutary current does not reach, morbid excrescence or gangrene. However remote

remote his influence on the state machine, the consciousness that he possesses some influence, gives to each proud associate in the general privilege, that sense of dignity and independance, which ennobles the meanest of a free people. I need not dwell on the importance of this sentiment in elevating the public mind and forming a national character; The lesson was taught to us in America, it was taught by our fathers at Marston Moor and Edgehill; to some this species of effect will seem romantic, and timid politicians may wish to suppress an animating prejudice, that Sydney and Hambden would have bled to see established; but even on common interests and occurrences the right of suffrage has its operation. Upon this, as upon a ground work are erected the systems of responsibility, and controul, these massy pillars in the fabric of the constitution. By this are men at the helm of government kept steady to the object of their trust and compelled on all occasions to consult the happiness and seek the approbation of the subject. Parliamentary influence in its varied degrees is the chain which links the most eminent with the lower orders, and the recommendation to numberless kind offices which many stand in need of. The gentleman by his weight at the county election secures to himself an importance far from despicable in the consideration of rural politics. To the citizen or yeoman it obtains the kindness of many, the marked protection

tection of some one among his powerful neighbours; thus constituting, but revocable at pleasure, a sort of feudal intercourse promoted and kept alive by a reciprocity of kindness and advantage. I appeal, to those for whose conviction I principally labour, the representatives of the people; will any among them deny, that, pending his pretensions to represent any great city or county, he is not obliged, whatever may be his feelings, to extend protection to the worst and meanest of those who can serve him, rather than to a Roman Catholic, no matter how meritorious, but from whom no such aid can be expected.

Without the elective franchise there is no security that government may not at any time alleviate the burden of the state by a partial tax on popish property; this species of outrage is not without a precedent, in the assessment of some county taxes, it is well known to have been already practised; the Roman Catholics possess not that curb on the disposal or imposition of public money which is given to property in every state pretending to freedom; for the distribution of equal justice, they are simply to depend on common honesty, a virtue of casual and uncertain operation and which is not always to be relied on as overpowering the dictates of one's own interest; in all this I can discern nothing to discriminate their situation from that of the subjects of any arbitrary monarch;

narch ; there are indeed no statutes to inflict fine or corporal punishments at discretion ; they have that benefit of the common law to which any stranger visiting the country is alike entitled, and from which, if shipwrecked on the coast of America, they would not by the special interference of a legislature be precluded.

It will be replied to me, the argument has often been advanced in that long season of misrule and criminal ill-policy which preceded the late Irish revolution, that the Roman Catholics possess civil liberty, the distinction between that and political power will delicately be laid down, and we shall hear it asserted that whilst the one is not invaded, the other, a vain pageant, may be wanted without detriment ; that is, if they have reason to believe that without some alledged cause they shall not be spoiled or imprisoned ; if there exist no particular usage of sending a papist to the bastinado or the galleys, they may trust to the virtue or rather to the convenience of others, that this CUSTOM of forbearance will not be violated. Farewel the sweets, farewel the securities of political liberty ; it has ever been regarded as the most cruel and oppressive tyranny that those who govern separate their interest from those who submit, is it here to be considered as no hardship ? Is no attention to be paid to that experience, and that maxim which pronounce it a vain hope that civil rights may be held

held secure unless the enjoyment be guaranteed by a reasonable proportion of political liberty ; without that we hold our freedom but on terms of connivance. He who advises, that the dearest concerns of his fellow citizens should lie at the mercy of the magistrate, or the multitude, reasons inaccurately on human nature, and proposes that rule to others, to which he would not readily submit his own interests. Would any man consent to hold by the permission of a minister, his property, or his life, his claim to a trial by jury, or to the benefit of the habeas corpus act? surely not the confidence that these blessings are placed, beyond the reach of power and encroachment of prerogative gives to the British constitution that superior excellence, which Europe envies, and which, we who enjoy it, consider with exultation. To preserve inviolate this blessing has been the motive to every conflict which the British people has engaged in. The Roman Catholics possess at this instant no controul whatever over the imposition of taxes, and can scarcely ensure to themselves common respect, from the mean persons to whom the lowest departments of power are entrusted ; what then do I gain by the bustle and cumbersome forms of a free government, a precarious exemption from injury to be continued to me during the caprice of the many, and the convenience of the few, and held at best by no more secure tenure, than a fluctuating fashion of liberality ;

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equal, and probably more durable advantages are to be had from any civilized monarchy. I hear at every instant that power, is a trust, delegated to some, for the benefit of the whole ; that government, and more especially the form we live under, is not a conspiracy to promote the emolument of a part, but a rational and extensive system of happiness to all its members ; and who are you, who intrude between my interests and me, and aver that you are better qualified than myself to defend my happiness ? You recommend yourself indeed by a boast of clemency, the ruffian's plea of merit, that he has spared life and limb to the victim he had plundered. No, if I am to serve let my vassalage be qualified by the dignity of those, who are to command me ; let it be to an illustrious monarch, to nobles of generous mind, and honourable lineage. In men of birth and education, I may expect virtues conformable to their rank, compassion and tenderness. Let not one half the nation claim it as a privilege of their faith, to be my task-masters. The cup of slavery, ever a bitter draught, is rendered more intolerable by the clumsy insolence of those who administer it. Thus would I reason were I authorized to speak for the body of Roman Catholics, but I would not only reason, I would act ; there are breaches in the constitution accessible to a monied interest, in these would I fasten, on these intrench, and then tell my grievances with tem-

perate but unaccommodating fortitude; the lesson of liberality could not fail to prove instructive, if read to the minister by a few complying friends in parliament.

I shall in a proper place touch on the evil consequence of withholding from men the benefit of their good conduct, external reputation. It enters into this part of my essay, only to remark the severe tyranny, which pursues a man to the judgment seat of his own heart, and there compels his feelings to execute the sentence of degradation. Plain, middling men are never disgusted by the just pre-eminence of high station; difference of rank, then only creates disgust, when a distinction is made between persons mixing in the same society, and otherwise upon terms nearly equal.—It never was the haughty demeanour of a Soubise or Montmorenci, that exasperated the people of France, and worked the present revolution. No, it was the beggar Count, and half naked Chevalier; it was the arrogance of the *petite noblesse* dispersed through country towns and subordinate departments, claiming superior title to royal favour and patronage; certainly, most of the praise bestowed on the French men of figure and landed fortune is well founded; but in the defence of that nobility, no account is taken of those, who adhering to rank but by the vain distinction of a title, never omitted an occasion to display the pre-eminence of their order

order, and upbraid it to those who equal or surpass them in fortune and merit; nearly similar is the situation of Ireland. The body of protestants is sufficiently numerous to assume an ascendant, not enough so, to cut off competition; we have seen the fate of the noble oligarchy of France, if not prevented by timely interference, a similar ruin must one day befall the protestant oligarchy of Ireland.

C H A P. III.

The reasons upon which the Popery Laws are vindicated.

OF those who have treated this subject, to some, the original design of the Popery Laws appears prudential; in a country, they alledge, agitated by contending factions a settlement could only be effected by strong exertions of authority; to such persons it might be replied that this great end would be easier accomplished by modes of conciliation than of rigour; that the system favours more of partiality than of precaution; that

that the project of bestowing on one part of the community, a monopoly of trusts, privileges, and emoluments could never be just in any nation ; or politic in a free one. But as none more warmly than these writers censure the continuance of burdensome and useless restrictions which have obviously survived their meaning, I shall on this head, abstain from controversy. It is of little moment, to the point now in discussion, whether the act was of wisdom, or of outrage, calmly digested in the cabinet, or imagined in the wantonness of civil victory. “ I come
 “ to bury Cæsar not to praise him ;” let it apologize for the Authors of the penal statutes against Papists, that they legislated according to the temper of the age they lived in ; and that the code they have bequeathed to us, is not so much calculated to defame their memories, as to illustrate by an additional example, the general imperfection of our nature, unhappily too eager to grasp at power, and seldom very temperate in the use of it.

——— “ Proud Man,
 “ Clad in a little brief authority,
 “ Plays such fantastic tricks.”

On the most favourable construction, the persons who framed this system must have only designed it a temporary expedient, until a more perfect

perfect arrangement could be established; and if I were simply to bound myself by these limits, and to shew that in the present tranquil and settled state of Ireland the popery laws are useless, every purpose of my argument is answered.

I pass by as superficial invective, upon which no man of sense, experience, or information can reason, the heinous charges of criminal principle and conduct, which have mutually been alledged and retorted. No system of religion ever sanctioned that which is reprobated by the law of nature; nay more, never did such bonds of vice hold together any numerous society. One cannot sit down to justify what every soldier has done, or every pedant has written; certainly in the tumult of the reformation, as in all great conflicts of which the point at issue is important, enormities were perpetrated. If the proposed change had been of dress, language, or jurisprudence, it is most probable that parties of similar animosity would have been generated;—that the contention would have been managed with equal vehemence, and accompanied with instances of violence no less atrocious; but he cannot be serious, or if serious, he cannot be honest, who seeks for precedents of misgovernment in the annals of barbarous times, and cites authorities, which upon no other occasion, would be entertained for a moment, in order to glean together the scattered instances

stances of misconduct; and on the acts of ferocious ages to ground a charge against the polished inhabitants of modern Europe. Persecution, the coarse expedient of an arrogant, unfeeling mind, which cuts the knot it should unravel, is not in any instance to be justified; but if a plea of extenuation, may be offered, it comes without doubt on the side of the Roman Catholics; they maintained a system which had interwoven itself with their laws and prejudices, nay, with their very notions of the divine Being; which had been delivered as venerable by their parents and instructors, and authenticated as they thought by tradition, and prescription immemorial. The doctrines too of the reformers attacked the temporal interests, and thus exasperated the feelings of many princes. If the curtesy of modern Philosophy offers in excuse for the good Trajan and benevolent Pliny, that the one enjoining, the other executing rigid methods of coercion against the first Christians, were misled by ignorance of what they punished, and by false ideas of obedience and piety; that they supposed the doctrines of this people interfered with their allegiance, and saw in their practice a supercilious contumely for the religion of their fathers; how is it possible to refuse a like apology, and for similar motives to the Sovereigns of the dark ages, unacquainted like Trajan with the tendency of the proposed innovations, but not like that Emperor, wise and enlightened. We
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pity the error and ignorance of our ancestors ; we regret that literature had not softened their manners, subdued their fierce passions, and enlarged the sphere of intellect amongst them. But on him only can I look with amazement, who at this day, will continue to propose barbarians for a model, and rely upon such precedents to countenance a dominion, inconsistent with every law of justice and principle of liberty. If the old Church of Rome was that deluded and sanguinary monster her adversaries represent her; were they bound to recede only from her errors in speculation ? were her errors in practice to be consecrated in the new system of Church establishment, or treasured in a safe repository, to serve upon occasion the Protestant government of Ireland.

There are other arguments, more speciously urged, or at least which seem to have left more impression on the public mind, and on which I shall therefore bestow a closer criticism. It is alledged, that there is some lurking principle of evil, either in the doctrines or discipline of the Church of Rome, which tend to weaken a man's attachment to our free constitution, and to estrange his affections from the reigning family. That there are dormant claims of Roman Catholics, which they are likely to produce, if they acquire weight sufficient, to make the demand with confidence; and which, if produced, must spread a scene of wild confusion

fusion over the land we live in. Lastly, that as a dangerous rival to the establishment, it is not safe to countenance the Church of Rome, but sage to depress it by every means within the limits of common humanity. I conceive these objections are stated as strongly as they ever have been put. In giving the first, it was impossible to avoid the contradiction which it obviously contains. If the Roman Catholics were charged with a disposition to republicanism, it might account for their supposed antipathy to the Prince ; or if deemed extravagantly attached to the blood royal, we might consider, as not utterly chimerical, the charge, that they do not affect the forms of freedom ; but that they should at once fall out with the two contending members of the state, the monarchial and democratic parts of it ! If their presumed dislike is never to be called into action, it is, I suppose, not worth commenting on. If it is to appear on the stage of politics, the spoil, which ever way won, must be given to enrich an enemy ; either the powers of the crown, must be contracted in favor of popular liberty ; or the rights of the people beaten down to swell the triumph, and improve the property of this hated prerogative ; if such be the policy of Papists, feeble, unoperative, and ineffectual, trust them in the name of heaven with all the powers they demand ; he is a shallow politician, to whom their machinations can be ever formidable.

whilst there existed a pretender to the crown, to whose claim they might be supposed to look favourably, this absurdity, was somewhat less paradoxical.—That cause of suspicion is now happily removed——the romances of slander, with which the present age have been infested, have not dared to hint an insinuation so improbable. The pertinacious loyalty of Scotland, has acquiesced in the present settlement. The race of the claimants is extinct; the pretension antiquated, and not for a long time past acknowledged by the chief of the Romish religion. And even in the favoured nation, I have already mentioned, which has been much less punished, than the Irish Roman Catholics, for proofs of attachment, incomparably more unequivocal; there is not now to be found a man, who either retains himself, or suspects in his neighbour, an affection to the Stuart family.

For my part, I conceive it next to impossible, that three millions of men, although no better appointed, than with clubs and rustic implements, should for a century, have submitted to a government, of which they mortally hated both the forms and administrators; and a government surely, not established on any project for procuring their happiness. Yet, not alone, were the Roman Catholics tranquil under these circumstances, but bore the test of two dangerous rebellions; and on a third critical emergency, took arms, to repel

an enemy who had usually afforded them refuge; and with whom their adversaries, were fond to insinuate some latent connection.

I must not omit the gross and criminal absurdity of punishing a supposed disaffection, not manifested by any overt act; a velleity, not discoverable in any part of this people's conduct; on the contrary, the Roman Catholics, have on all occasions loudly and strenuously proclaimed their affection for the reigning family; and I credit them, for their profession is consistent with reason and experience; and what is alledged in contradiction, is directly repugnant to both. Whilst they are debarred all intercourse with the constitution, Who can demand of them more than phlegmatic approbation? to the Sovereign their feelings are, and ought to be more animated; pursued with pitiless antipathy; under the throne, the Roman Catholics sought protection;—They were received with tenderness, and much mitigated of that rigorous doom, which their country had denounced against them. The natural consequence of such intercourse ensued, the Roman Catholics, became on all occasions, strenuous partizans of prerogative. Had the event been different, they had not been men; they had not possessed the ordinary emotions of a susceptible heart, nor the ordinary discernment of a penetrating understanding. But from this very circumstance

stance I argue, and I hope with some efficacy, that this preposterous jurisprudence should be abolished; it opens an additional source of influence to the crown, and facilitates between the Sovereign and subject, a connexion, incompatible with freedom, and which evil and interested men may abuse to the worst purposes. But if I wrest this jewel from the crown, I would not bury it; two millions of men, can never be viewed with indifference in the settlement of a nation; it is not to be expected, and less than ever, in the present age, that like brutes, they may be guided at the fancy of their conductor. Let the democracy imitate for a salutary purpose, that plan of attention and meekness, which we view in the executive power, with jealousy, because it is full of perils to us. Surely, the friends of freedom may esteem it a consideration worth entertaining, whether a coalition might not be formed with a large body of citizens, whose voice, if it were only to join, in the outcry of liberty, must be important; and it is far from an idle or contemptible experiment to ascertain, whether men who in constitutional debates must be courted, because they are numerous, incorrigibly persist in a whimsical predilection, for implicit obedience; or may not be won, even by their own interest, to espouse the cause of liberty, and be employed as useful auxiliaries, under the banners of the constitution.

I cannot comprehend, how any man (not a lunatic) should be suspected of gratuitously surrendering his liberty, rather than his fortune, or any other natural or acquired advantage.—Certainly, a charge so contradictory to common sense, needs the corroboration of specific evidence.—I do not see this evidence; it is not in the doctrines which the Church of Rome avows; it is not in the practice of the nations whom she has educated; I speak here of nations, not of cabinets; the intolerance practised in any despotic government, is no more chargeable to the account of the people, than the very despotism under which they suffer. It is not the character of the people, but the act of the Sovereign and his advisers; men who ever pursue their own interests, and who in this, as in all parts of their government, hold probably in view some personal and temporary advantage. Few indeed are the communities, in which the people are heard by their own voice, and enabled to deliver their genuine sentiments; such is France at the present day; and although some popular leaders may be infected with the vice of irreligion, certainly the mass of the French people are Roman Catholics, and never was any measure more generally acceptable, than this of universal toleration.

But why do we hear so much of the incompatibility of popery with freedom; wishing to retain

retain all due decorum for the establishment, and to treat of what concerns it with the most cautious tenderness ; I am led however into a comparison, no way favourable to reformed episcopacy ; it is of the obligations which the constitution has to the Church of Rome, and the merits which the present Church dominant may plead, when called by the genius of Ireland, to account for its stewardship.—It is strange that the partizans of the establishment, can ever allude to a religion of freedom ; if such is necessary, it cannot be the Church of Ireland, nor any other that consecrates an Hierarchy ; it must be Presbyterianism, Socinianism, Independants ; it must be Dissent, in some of its wildest shapes, and most eccentric modifications. To the adherents of Presbyterianism, the debt of the constitution is immense ; we owe to it, that the labours of past times were not effaced ; that the noble Saxon edifice of the constitution was not levelled ; we owe to it the awful spectacle of democratic justice, a culprit King, and an accusing people. Of nearly equal magnitude, are the services rendered by the Roman Catholics, they gave the text, the bold comment issued from the school of Calvin. In ages of popery, we obtained our Magna Charta, our trial by jury, our representation in parliament, our right of popular impeachment. The Roman Catholics drew the outlines of liberty, many of its noblest

noblest features arose under their pencil ; the masterly hand of Presbyterianism retouched the piece, revived some faded lineaments and gave to the countenance an air of young and animated energy. We can scarcely allow to the Church of England the credit of retaining what it accidentally had acquired ; without the strong curb of the sectaries passive obedience, had at this hour been the current loyalty of these islands. It was the language of Prelates, it was inculcated in Pulpits, it was sanctioned by universities. During the reign of popery, resistance I presume was taught, for it undoubtedly was practised. The evidence of history is certainly against the present establishment ; but it fortunately is not too late to retrieve its character. Much remains to be done ere the constitution of Ireland shall attain perfection. Let the church co-operate with the wise and honourable men, who are engaged in this great enterprise. Happy should I be for one to see the charge of indolent acquiescence, which I am compelled to advance, refuted by such unquestionable testimony ; and to be able to thank the establishment that any of these great designs, were accomplished, on which the people of Ireland have settled their affections, and to which they direct their views with anxious expectation.

It is not strange that the animosity of party should still prevail in Ireland. It is the duty
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of every good man to lament the evil, it is the duty of those who have been enabled to rise superior to the absurd antipathy to expose its weakness, and its tendency. We are not above the third in descent from the exasperated foes who contended at the Boyne and Aughrim; and the Apostle of Freedom, who blessed us with constitution and commerce, has not been able to expel the viper prejudice, which had fattened and swoln in that season of calamity. The greater number amongst us seem to have attached some unaccountable fancy of their own, to the expression Freedom; as if to brow-beat Papists were the only privilege worth contending for; as members of the state, the Roman Catholics are intitled to privileges, they are additionally so as good citizens possessing a stake in the country, yet, when the claim is mentioned, an alarm rises, as if it were not a request timidly urged and by suitors who have scarcely influence to obtain an hearing, but a general and sudden transfer of power, patronage and property from the hands which now possess it. If they are told of the benefits of equal freedom, of an extinction of parties and men co-operating to one general purpose, the prosperity of their country, and of the empire; they come forward with that monster in politics, *their Protestant government*, long a favourite appellation, and which, if any idea is conveyed by the term, must be understood

understood to express what the most common observation and vulgar intellect can refute; that the interest of the country is better consulted by permitting the ascendant of an oligarchy to prevail in it. Never could any age or nation boast a more honourable band of Patriots, than the men who at the Revolution took a lead in Irish politics. They clearly discerned and honourably pursued the interests of their country; let us coolly and considerately investigate their conduct; and if measures, not men are to obtain our approbation, we shall find the merits of the Irish Roman Catholics far from inconsiderable; and not the less conspicuous, when contrasted with the shameful dereliction of their country's rights, by the *friends of freedom*, who came after. When they engaged in the party of King James, the Irish Roman Catholics did right. Even in England the settlement of the crown was difficult and delicate; some of the most strenuous for correcting abuses hesitated at the bold infringement of hereditary succession; some of the most virtuous men in the nation refused concurrence or even assent to it. If in a lettered country, among the luminaries of Europe, the question was pronounced full of hazard and perplexity; what must it have been, where the sword was still the only arbiter of right and wrong? where abstruse political reasoning had never been so much as touched on; nor mention made of the metaphysic rules by which at this day

day all great decisions are regulated ; but the Representatives of the Irish nation did not simply commit themselves upon a barren speculation. Loyalty, that amiable absurdity, which never warmed a heart inaccessible to noble virtues, attracted the people to the standard of a forlorn monarch, first of the blood royal, who for ages had appeared amongst them. It was not impulse that drew the chiefs to the field ; in England they saw a settled policy to depress their country ; it was of small moment whether James deserved well or ill of his British subjects ; whilst they were unwilling to make common cause, they unquestionably deserved ill of us. Assembled in Parliament, with all constitutional solemnity the Irish stipulated, as the price of their assistance, for a complete charter of legislative independance, and commercial freedom. That they were not supple courtiers, we have the evidence of James himself. “ Commons, he exclaimed, are every where the same,” when they boldly questioned his prerogative, and censured his favourite Melfort. If they had been willing to consult their private interests, they might have obtained from William, enviable conditions of personal immunity and religious toleration ; the temper of that Prince disposed him to mildness, and circumstanced as he then was, a crusade of religion, was far from desirable. These are the persons, whom it is fashionable to depreciate, and upon whose supposed predilection

for arbitrary government, a very serious accusation against the Roman Catholics is grounded. This is the band of patriots, whose acts were annulled, whose honours cancelled, and whose names were vilified by the assembly, which expelled Molyneux, and condemned to the flames his case of Ireland. Upon this pile, perished the Phoenix liberty, entombed for a century, it has again revived among us ; shall we by our bickerings disgust the lovely stranger, and scare it back by the view of our unworthy jealousies into its urn.

Far be it from me at this day, to lament the event of this conflict ; I can discriminate between that which is the advantage of the Empire, and of a particular part of, compelled to follow a distinct interest. I apologize not for King James, but for those, who were well authorized to turn his misfortunes, nay, his vices and his crimes, to the profit of their country. We now are admitted into a partnership in that constitution, which wanted to perfect it, the correction and example of a revolution. But the Roman Catholics of the last century, possessed not the gift of second sight ; they could not foresee, that a complication of fortuitous events, should in the lapse of a century, unfold to posterity the prospect of a far superior system of liberty, than was at that day attainable. That golden opportunity should again return, that lucky crisis, in the affairs of nations as of individuals, which if suffered to elapse

elapse, is to be recalled with so much difficulty. They had no Merlin to predict, that the season of emergency, when the aid of every virtue, and of every talent was so requisite, should be blessed with a rich harvest of the most exalted characters; men whom no difficulty could discourage, no peril intimidate, whom corruption, flattery or influence could never deturn from their steady purpose; men to whose moderation their country is not less indebted than to their intrepidity, their wisdom and their eloquence; by the effect of whose healing counsels we can contemplate with satisfaction, that Liberty, of which the triumph in other countries is marked with havoc and desolation, marched in Ireland with bloodless and peaceable ovation to her throne. We have seen this fortunate æra, we have seen it under a patriot Viceroy, to whose congenial soul the task must have been grateful to present the cap of Liberty to our country and to bind the well-earned laurel on the brow of her deserving children. Whilst England thus attracts us with fraternal affection we glory in the common name of Briton. But little estimable is he in whose breast, the duty he owes his country does not rise superior to every more remote obligation; who would not, if driven by wicked men to the melancholy necessity of resistance, imitate the example of our ill-fated predecessors; and cause even the proudest distinctions to emerge in the still more fond and endearing appellation of Irishman.

The next objection that which supposes the tenures of property in Ireland not sufficiently confirmed ; although speciously produced, and well calculated for its object, to sow dissension and excite alarm, is not better fortified against investigation. It is refuted by every deed of mortgage, and conveyance, which has been passed in Ireland since the Restoration. It is even hardly to be supposed that a person in high station, who gave not a little weight to the assertion, could have been serious. If he was, he must have admitted his immediate ancestor to have been a simpleton, and said little for his own wisdom in the disposal of his fortune. If the landed property of Ireland was not securely held, no man of sense could think to purchase or settle in the country ; it should be considered as not much better than Turkey, where the Sultan is every man's heir ; and only as a convenient station for procuring wealth, as India is by the servants of the company, and Ireland itself by the ministers of passage who occasionally visit it. It would indeed seem that these latter gentlemen are the only persons who have discovered the real situation of the country. I should scarcely expect to receive a serious answer from a man, if whilst he had within his reach the solid security of the English funds, I should recommend to him to purchase in a country, of which all the tenures are to be questioned, when an event

event the most likely and desirable shall take place ; that the people shall become more free, and the yeomanry more comfortable.—Immediately at the Restoration when the claims were recent, the claimants alive, with their merits and a vast deal of power to plead for them, it was found impossible to dispossess the new proprietors. In the parliament held by King James, when the aggrieved party was in the plenitude of authority, the matter was taken up with delicacy and most cautiously proceeded on.* There never was in any civilized country an instance of a re-assumption of lands long possessed or which had been the subject of civil contracts ; Is it then possible that any man who has observed the influence of even recently acquired property, can be serious in his hypothesis ? that after a century and half of peaceable possession, fortified in their claim by the long list of connexions, creditors, tenants, and dependants, the landed interest of Ireland should have so little weight that a government should attempt, or so little strength, that a government dare attempt, to change the possession of the country, and compliment with their spoil an handful of neglected beggars.

* It was proposed by King James's Parliament to revive the court of claims, which had been discontinued, to discriminate between those who merited to forfeit for their rebellion and the persons dispossessed by Cromwell ; and to reimburse all the Debenturers whom it should be found necessary to eject.

But who in the name of heaven mars the actors in this revolution, and by what event is it supposed to be facilitated. By the acquisition of new power, and consequence to the Romans Catholics; that is, men who have borne without a murmur, the oppressions of a severe government; are at the instant their situation becomes tolerable, to create a confusion, which despair could not have prompted; and to expend their ready money on the acquisition of property, without any motive whatever, but that they may be able to cast it into a scramble, to be seized at random, by the most fortunate and enterprizing. I can see no method, by which the Roman Catholics can in this country acquire influence, or property, unless under the present settlement; and they must be more enthusiastic in their notions of right, than any people, whom history has recorded; if, after having acquired independance by the ordinary means, they would embark in the sea of civil commotion; and not prefer rather to enjoy the ease and certain property they possess, than unsettle the entire nation, for what is likely to become the emolument of another. It is not, I presume, to be understood, that every man, whom accident or parsimony has brought to the possession of wealth, must, because he professes their religion, have of consequence a direct claim of inheritance under the old forfeitors. If such an opinion prevails, it is erroneous. The vanity of many new families, may be soothed

foothed by an attempt, to trace their lineage, to this venerable stock. But there certainly are not at this moment, five hundred Roman Catholics in Ireland, who, if a court of claims was established, could by authentic document satisfy their judges ; that a patrimony, except for the accident of forfeiture, ought to have devolved upon them. Many of these suffering families have languished in want, and pined into oblivion. Many sought refuge with their unhappy leader at the Revolution ; others have conformed to the established Church, and constitute at present, a very distinguished portion of the Church of Ireland. These, I hope, as the law entertains no jealousy of them, are not to be counted against the Roman Catholics. I am ashamed to have dwelt so long on a frivolous objection, which supposes, that it requires but the interference of a few powerful chiefs, to change the property of a country. The claim of the Irish forfeiters is, at this day, chimerical and antiquated. Our grandfathers do not recollect the change, our fathers found the island settled in tranquillity, and all the solemn laws and compacts of our state, must be but as transitory, and ineffectual shadows, in the eyes of him, who supposes this settlement may be violated. The present land-holders of Ireland may rest at ease ; they have as little reason, to apprehend disturbance from the old proprietors, as from the still prior occupants of the soil the wolf dogs.

C H A P. IV.

The Establishment.

THE effects of the proposed repeal, on the interests of the established Church, deserve a distinct consideration. I will not say, reasoning on the abstract question of right, that any establishment ought to be set in competition, with the interests of a people; it would certainly be just, to render to every man, that which belongs to him; and leave to heaven, whom they profess to honour, the care and security of religious establishments. But rules of abstract justice, are not to be looked for in society. We cannot expect, that men having in their hands, the power to confer kindness, or offer injury, will refrain from the one, or present the other, unless the act to their own concerns, be proved advantageous, or at least indifferent. It is reasonable on the subject of this demand, to quiet the alarm of the Clergy, and the more so, as the task of giving satisfaction, is by no means difficult. Far from supposing it unsafe, for the Clergy of this, or any other established Church, that the subordinate sects should be indulged, in the most complete licence; to me, the measure seems warranted, by correct policy. For the mere pre-emi-

pre-eminence of ecclesiastics, none but bigots will contend; and these in numbers, too inconsiderable to excite apprehension. But where the more solid advantages of society are withheld; where men are provoked, by idle experiments, on their pride, or their patience; the most moderate will be induced to make common cause, and an haughty hierarchy will be sometimes levelled, in a common slaughter of oppressive pretensions. I can make great allowance for the anxiety of the Clergy, it is natural, that those who hold property, should cautiously weigh, whatever is represented to interfere with their possessions; on no other occasion, are the feelings of men so exquisitely alive; nor do we recoil from the rude touch of reform, with more sensitive irritability. But let me entreat, the body of Irish ecclesiastics, to proceed one step further; and to enquire from their own quick sensibility; whether he who enjoys wealth, does not feel an earnestness to retain it? the answer will probably be in the affirmative, and a familiar deduction of like effects, from like causes, must convince them; that even in the cause of the Church, a Roman Catholic, unless what I am unwilling to believe, he is more attached to religious principles than they are, is very little likely to endanger his fortune. It is not I presume, by a wish, or magic incantation, that an establishment, fenced by laws, and upheld by power, is to be subverted.

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They who attack the Church of Ireland, must dispose themselves to encounter a formidable opposition ; the Protestants of Ireland, backed by the unanimous concurrence of Great Britain. And who, let me ask, are these frantic Papists ? who, if they enjoy the comforts of life, and a competent share in the best government existing, will commit their fortunes and lives ; the hopes of their children, and prosperity of their country ; on the event of a silly conflict, for tithes and bishoprics. The strength, which has been able for a century to keep down the Roman Catholics, may still, I suppose, be exerted ; when it is alledged, that if restored to the privileges of free citizens, they would not submit to the precedency of the established Church ; the hypothesis is exactly this, that men, who already have been forced to submit to every species of privation, should arm at the instant, all inducement to hostility had ceased, and fly madly from the banquet of freedom, to which they had recently been invited into an enterprize, of which, only vanity can be the motive.

I will not suppose, that the Roman Catholics so widely differ from the rest of men, that they would not wish, if a wish could effect the purpose, to see their own party prevail, and their own liturgy universally attended to. I know, that in the character of that sect, there enters no stronger disposition, than that of reverence

verence to their Clergy ; and that many articles, both of doctrine, and discipline, have a tendency to confirm this sentiment. I do not dissemble ; for why should I dissemble ; I plead the cause of men unjustly injured ; not of any modification of Christianity ; that there are other systems, better calculated to fix upon the mind impressions, which a friend to freedom might wish to improve and cherish. Between the articles of a creed, and the actions of men pursuing their rights, or any other temporal concern, I can not admit that there is much connexion ; we have the experience both of ancient and modern events to prove, that the religion of Rome, by no means stifles, the voice of nature, which calls for Liberty ; the divinity, that stirs within us, to say, we should be free ; but yet, the discipline of the reformed Churches, bears somewhat more resemblance, to what ought to exist in a community of freemen : I wish cautiously to avoid offence ; I speak with that indifference to sects, which a political writer ought to feel, or to affect. I could admit something in the argument, if the article in debate was, what mode of faith is to be preferred by the legislator, who wishes in a recent country, to establish a durable system of equal privilege. We cannot change the nature of things ; the experience of a century proves, that violence does alter the temper of men, or their opinions ; and the question

is, shall we still continue to harass our country, because the Roman Catholics cannot be prevailed on, to give up transubstantiation and purgatory, their reverence to saints, and respect to images. Perhaps, if the land were to be colonized anew, I should prefer some sect of the reformed Churches; but our object is to enquire, how the materials we have at hand, may be most serviceably employed, in that edifice of constitution, which we are busied in erecting. When I assert, that the proposed repeal of the Popery laws, can not affect the establishment; I do not ground my argument on any presumed forbearance of the Roman Catholics, such presumption, must be either weak or disingenuous. I reason on the utter impossibility, that any attempt against the establishment should prove successful. In order that an alteration should be accomplished, it must, as before, come recommended by England; or Ireland, in point of number, and territorial influence must nearly be unanimous. When five-sixths of the land-holders were rigid Roman Catholics, in defiance of the most strenuous opposition, the English liturgy was introduced; the old Clergy ejected; and the reformation triumphantly established. Nay, more, aided by England, the Protestants, at that time intruders, were enabled to rob their adversaries of power, and of privilege; and to deface every trait, which might denote their lineage from a free people.

people. When freedom and property were the stake, you buffeted them at your fancy ; and now, when the danger is no more, than of precedence ; for which none, but persons of weak capacity would expose themselves ; as if conscious, that religion was not sufficient to create discontent ; we cast ambition and interest into the scale ; we fetter down our vigorous and youthful country, soaring with an eagle wing, into the boldest flights of aggrandizement ; and pursuing with an eagle eye, the animating fun of freedom. And for what ? for a vision of danger, to be realized, but in the remote lapse of centuries, and by a coincidence of events, chimerical even in prospect ; that England should be reconciled to the See of Rome, and the race of Irish Protestants extinct or beggared. With equal justice, and much sounder policy, our legislature should extend its care to the dominion of Saints, and provide for the security of Protestantism in the Milenium. Similar arguments were used, to divert us from repealing the scandalous statutes, which scarcely left to our countrymen, the benefit of air and water. They were advanced alike, when it was proposed to repeal the test act. On both occasions, we were warned against the dangers of rivalship : On both occasions, the caution was treated with contempt, and the country has prospered under the salutary measures which were adopted. By this consideration,

deration, the Clergy might be induced, to relax somewhat of their opposition. Notwithstanding every apprehension, the reformed Dissenters, are not at this day more powerful, than they were fourteen years back ; and, if danger could be apprehended from any, it must rather have been from the Presbyterians ; they have a powerful party in England and Scotland at their side unanimous. The Roman Catholics, unless they can influence Saints and Martyrs in their cause, seem little likely to procure auxiliaries. If the Church of Ireland, wishes to rival the Romish Clergy, in popularity, it ought to commence by proofs of condescension : Certain it is, that he who possesses pre-eminence and authority, if he bear the one with meekness, and exercise the other in clemency, starts in the competition, with infinite advantages. A consequence directly contrary may be expected to ensue, where pre-eminence is haughtily maintained, and superiority wielded as a rod of iron. Hence in every country the disinclination of subordinate sects, to the Church dominant ; a disinclination, which mistating facts, and misapplying experience, we usually attribute to the motives of dissent, not to the circumstances to which dissent gives origin.

I have, I hope, been very explicit in my proofs ; that the established church can have no advantage in promoting the continuance of these statutes.

tutes. In the days of most extravagant enthusiasm, never did the bare interests of the clergy draw any description of religionists into competition with their rulers. I proceed further to prove that it is the duty of the established hierarchy, as it tenders what it must suppose the cause of truth, to set an example to the universe of unlimited toleration. Every argument which can be used to justify the coercion of Roman Catholics in this country, may be equally applied to its own case in a nation adhering to the Church of Rome, or to any other system of religious worship. The safety of establishments, if once admitted to depend on persecution, may be alledged as a pretext, for the inquisition or any measure of severity the discretion of a legislature shall think convenient; what is then the immediate consequence of our obstinacy? we warrant the persecution of every Protestant in Europe; there are those amongst us who affect the ostentatious title of patrons and defenders of the Church of Ireland; if such persons feel that the doctrines they so warmly espouse bear the evidence of truth, why not commence the glorious work of toleration; they by doing so unbar to their doctrines, the gates of every nation; and clear the way for the admission of true religion, into the countries in which it is prohibited. They will remove from the church, to which they profess attachment, an imputation that must ever be affixed in the minds of

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of plain observers, that force is a substitute employed to supply the dearth of argument ; and that if any more happy expedient could be used to produce conviction, we should not propagate our doctrines by pecuniary rewards and punishments ; such language certainly cannot in the present form of things be very much reprehended ; it is encouraged by the laws of Ireland. It has been encouraged by zealots who have ventured to declare, that although the first convert might be not sincere in his professions, his posterity will at length be confirmed in the opinions of the reformation. I can scarcely hear with patience, that libel on our national clergy, that unlike the primitive church, of which the seed was the blood of Martyrs ; the foundation of the church of Ireland should be laid in hypocrisy, and that it requires two or three generations of prevarication, and apostacy, to procure to the land the blessing of a good Protestant.

C H A P. V.

Of the dangers to the constitution from the Popery Laws, and the general impropriety in a free state of such restrictions.

REASONING on the Popery Laws with a reference to the constitution, this occurs as a capital objection to the existence of such institutions; that in every free state, the supreme magistrate is the object of jealousy; his powers of action are more concentrated, his interest in the ruin of freedom more immediate. The patriot statesman marks his conduct with vigilance, dexterously pursues the secret motives of action, and exerts his utmost activity to counteract his enterprizes; but in this instance, the system of controuls is inverted. The check is imposed upon the people for the advantage of the Monarch, not upon the Sovereign in behalf of the people.

Indeed so repugnant to the genius and principles of Liberty are these restrictions one might be induced to believe, they were framed with a view to smooth the way for arbitrary power; considering the Irish as a nation, anxious to retain liberty, every step presents something like an act of infatuation.

If it were possible, that a race of beings could exist, debased, degenerate and so unlike the common character of man, as to deem the regulation of their own actions a toil ; and should systematically prefer to hold their lives and fortunes from the caprice of a monarch, rather than by the liberal security, which the British constitution offers ; if we could suppose that any climate, manners, or institutions could thus warp, and pervert the human mind, from its accustomed tenor of thought and action ; and that this vilified order of wretches, were the Roman Catholics of Great Britain and Ireland ; an alien observer, indifferent in the choice of parties, but coolly remarking our conduct, and the motives that direct it, would thus be led to describe and reason on this part of our government. On the British islands, the favour of heaven has bestowed the best government, and the most perfect system of civil liberty, which has yet been established. Of this invaluable boon the possessors are justly tenacious ; it is the strength, and ornament of their country ; a doubt has arisen whether one description of citizens are alike zealous, as the rest, in this good cause ; without examining the merits of the charge, by the most obvious evidences ; without considering whether it is admitted by their professions, justified by their interests, corroborated by their passions. They award a sentence of degradation, the most rigorous doom a nation can denounce. Heedless

less of the general character of man, placable by kindness, unaccommodating under harsh exertions of authority, they seek not by any conciliatory methods to change their perverse nature; but alienate them still more by absolutely cutting away every inducement to repentance. In a limited monarchy, the Sovereign is an object of attention, and mistrust; yet to his custody do they commit, these formidable culprits, thus facilitating to him, the means of influence, and extending the connexion of intercourse, and dependance. Upon the easiest terms, simply by abstaining from injury, an aspiring Monarch may at any time ingratiate himself with this numerous body. An ostentatious parade of clemency, attaches them firmly to his cause by their affection, and their interest. Thus of every mode that could be devised for managing a people suspected of disaffection, the most improper was adopted; They are permitted to acquire the influence of wealth, and almost enjoined to direct that important engine against the liberties of their country; they are in a free state marked out as improper guardians of the public welfare; can it then be a matter of wonder, that they want ardour to support that freedom; from any participation in which they are so sedulously excluded. It is indeed rather astonishing, that no sovereign has yet been so criminally bold, as to seize this dangerous instrument of influence, and wield it with effect

effect against the liberties of his country. But let the people of Ireland beware, there are many inducements to undermine their rights, and they have no reason to suppose that there will be wanting agents and advisers for such a measure; competition for the crown has long ceased, all pretensions are now utterly extinguished; the relation between the sovereign and the people is already much changed; there are facts within our own memory, which sufficiently prove that the reigning family are not considered utterly dependant on the usual supporters of their greatness. Thanks to the virtues of those by whom we are likely to be governed, we can indulge the pleasing vision of a Patriot Reign; such dangers are remote, but not impossible; no royal family would deem the comparison or degrading to hear that a spirit like that of Lewis XIV. restless, haughty, enterprising and ambitious may animate some of their posterity; and I know of no security to the state that the deep, judicious policy of Richlieu, may not successfully be imitated by some future minister.

It would not be an ill-grounded supposition, if such a person proceeded still further, to consider the popery laws as a system established, to prepare for absolute monarchy; certainly every interest, and every passion of the Roman Catholics ought, if their passions and interests have a common operation; to lead them to co-operate in such an establishment; their

their interest for enjoying no common benefit of a free constitution, they can have no common concern to promote it and in the universal debasement of despotism, they could expect more impartial attentions. Their passions, it is the nature of man to resist dominion, to desire equality; the suspicious must ever expect to be reluctantly served; want of confidence diminishes the anxiety to deserve it. In the political, not less than in the moral world, to infringe on reputation is severe, and brings with it a necessary consequence, depravity. I have touched before on the injustice, it is my province here to remark the impolicy of such suspicion, indeed throughout this entire system these defects go hand in hand, want of common justice is blended with want of common prudence. If the Roman Catholics were such as they have been represented, incorrigibly culpable as it is alledged in their political opinions, and attachments, the bonds imposed are insufficient for the security of the state; they should not be fettered but exterminated. If liberty is to be preserved, a blessing fondly cherished, and purchased with so much hazard, the Roman Catholics of Ireland are too strong or too weak, possessed of too much strength if they are to be regarded as enemies; far too feeble, if they are to be expected as auxiliaries; every argument urged against them applies with more efficacy to a sentence of universal massacre. Reputation
rewards

rewards the labour of the generous mind, and encourages the lukewarm to praise worthy actions ; it is not on trivial or frivolous pretexts it is to be withheld, and men solemnly and publicly proclaimed objects of mistrust to their fellow citizens ; such are not the means to conciliate attachment, if it is precarious ; or to secure fidelity, if it wavers ; consult the common occurrences of life, the tale of calamity, in which all the woes, and all the arrogance of men are recorded ; you will there learn what an awful sentence is that, which infringes upon a good name ; how frequently if accident, or trivial sins against established order, expose the amiable and innocent to the judgment of the world, and to the bitter sentence of exclusion so often uttered at that haughty tribunal, even they degraded in their own and in the public estimation, and thus deprived of the strongest incentive to good conduct sink into the debasement which malevolence had prepared for them. In this observation there is enough of man's general character to justify the application to political as well as moral conduct.

There is another laudable prepossession to which perhaps still more than to the sense of shame, we may confide our preservation. That self-importance which attaches to every individual of a free state, that sense of honour, and shame of dereliction, which holds the sentinel to his post ; which confirms the virtue, and
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even invigorates the industry of a free people ; I need not seek recondite evidence to support this fact, that man thrives in the garden of freedom ; I might cite the authorities of travellers, and call to witness every person who has observed the difference of manners, in the nations round us. The dejected aspect of despotism, its gloomy and desponding visage, its sluggard air and slovenly attire ; the contrast of chearful and sprightly comfort, where the stamp of government is different ; I shall take my proofs from the land we live in ; it unhappily furnishes them in sufficient abundance, to evince, that in order completely to sink him in his own opinion, it is not necessary a man should feel the lash of authority, or see the hand uplifted to inflict it. I illustrate my opinion by the contrast of character in the English and Irish peasantry ; of the English, bold, enterprising and industrious ; erect with honest pride, and conscious independance ; of the Irish, servile, spiritless and sluggish, dragging their chain in hopeless despondency, and submitting to indignities, which give the domination of their petty tyrants not a little the resemblance of a gang of slaves and their insolent overseer ; whilst the Englishman at the approach of insult or menace of danger, flies into the sacred sanctuary of justice ; it is ever open to him as the paternal mansion to a favoured child ; he is not treated as with us, like a changeling or an outcast ; I illustrate it still
more.

more by the contrast of character in the north and south of Ireland; of the north, the parent of freedom, and nurse of public spirit; from which has originated every manly thought, every bold exertion, and enlightened principle. Indeed in the south, the comparison may be drawn still closer, the disparity is not more fairly marked between any two races of men on earth; than between the protestants and Roman Catholics of nearly the same rank in humble life, between whom there can exist no moral and or physical difference, save only that the latter feel a consciousness of superiority; and that the occasional exercise of the elective franchise contributes to cherish and to confirm this sentiment. I will be told that this right can give but small importance, it is true but yet "these little things are great to little men," it is sufficient for their state in life, and has the full effect upon their principles and conduct.

I anticipate an objection that will arise from the state of representation; it will be alledged that the means of procuring influence at elections will be facilitated, when the disqualification of religion is removed; and the number of those encreased without limitation, who are capable of accepting freeholds; exactly the reverse, admitting Roman Catholics to vote at county elections, would in fact be the most unexceptionable plan of Parliamentary Reform, which in the present state of Ireland could pos-

sibly be adopted ; in proportion as the number of electors is limited, the election is itself less free, because men of rank can predominate more, by the weight of their connexions, and dependants ; if this fact needs confirmation, you have it in the contrast of great commercial cities, with small potwalloping boroughs ; every county in Scotland is as a borough, by the small number of persons qualified to vote, and there is not a county in England in which the representation is not repeatedly altered ; by enabling the Roman Catholics to vote, the use of occasional freeholders will nearly be abolished ; it would be a waste of money to make but few, and no fortune could bear the expence of a sufficient number to create any very decided influence ; the independant Roman Catholics would form an admirable recruit to the popular interest in counties, and the effect of the entire alteration would be to render the gentry better landlords, to extend more widely the controul of property over power ; to enlist a numerous body of auxiliaries under the banners of freedom, and incorporate them with the veteran guards and forces of the constitution.

So obvious and easy is this remedy that I am astonished in the schemes of parliamentary reform repeatedly produced, it has been passed over in silence ; we desire that a new portion of health may be infused into the constitution, and neglecting the medicinal cur-

rent, that runs by our door, we seek a restorative from distant springs, and from the untried drug of every visionary empiric. It is impossible not to notice with how much ease, the patriots of this country, have repeatedly sat down to the work of reformation; no more adverting to the claim of their fellow citizens, than if such men were not in existence, or existed only as vagrant Tartars, who had settled themselves for a season, amidst our fruitful vales, and pleasing rivers, ready at the return of summer to retire with equal precipitation.

Thus for the better securing our moderate and happy government, it is expedient to restore every right to the Roman Catholics; I do not conceive how any can call this country free, when the most sacred of human rights is restricted, when conscience, the umpire between my god and me, is insulted with a lure to prevarication; I shall confine myself to that which pleading for the constitution most immediately regards my subject; restore to the Roman Catholics, what they never merited to lose, for they never were the tools of power, the elective franchise. To the men of influence, the effect of this act of justice must be, that they are by their interest bound to support the constitution. To the other orders, it is to be offered as the reward of industry; as the enlivening principle which gives energy to active enterprize; which gives security to moderate

derate means ; because it gives vigour to repel encroachment.—I do not say that every Roman Catholic is to be made a Minister of State ; nor that every insolvent labourer is to be taken into the firm of the constitution ; but let every Irishman be taught, what every Englishman is taught to feel, that besides want of application, or of oeconomy, there is no impediment, which shall be a bar to his acquiring that protecting and recommendatory right, by which he is enabled to resist the violence, to conciliate the regard, or to mollify the arrogance of his immediate superior.

I can see no reason against this manumission of the Roman Catholics ; none but what have repeatedly urged with similar pertinacity against the former alteration of the popery laws, and which the experience of ten years has amply and happily refuted. But I see strong reasons to warrant such a measure ; it is not to be presumed that if any contest shall arise between prerogative and privilege ; the Roman Catholics will range themselves with the partizans of freedom : if they do not prefer a dangerous neutrality, they may be naturally expected to contribute with their aid to the measures of the executive power ; and this let me observe appears even by recent experience, a danger more alarming and probable than visionary apprehensions, from the Pope ; his pretensions and interference are as little likely to disturb the future tranquillity of Ire-

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land,

land, as those of the Turk and Devil, with whom it not long since was the fashion to combine him.

I will proceed further to assert that Ireland ought to be pleased at the distribution of its religions. The Roman Catholic clergy deserve as well of the state, as any other description of men whatever. They have been commendably occupied in promoting the morals of the lower order of people; they are with few exceptions men of exemplary conduct, and headed by prelates of accomplished minds and estimable virtues.—A better government than ours would cherish this deserving order, they are indebted to it for the peaceable demeanour of an oppressed peasantry; a more enlightened people than we are, would receive them with respect and tendernefs, not pursue them with an unmeaning sneer and unmerited contumely—we should rejoice in the fortunate arrangement which accident has offered, we have a religion of naked speculation, for those who reflect; a religion of shew and observances for those whose senses must be flattered. Instead therefore of involving our legislature in a woman's quarrel about a boy's religion, it would have been more commendable to encourage some men of rank to adhere to the religion of their ancestors. It is useful for the people that the Romish religion be preserved, but it never can be maintained with respect, unless it receive a certain eclat from persons of superior station.

Far be it from me to reprehend the enlightened constancy exerted in obtaining our constitution ; the virtuous anxiety which watches over its growth : or the laudable vigilance which protects the infant Hercules from its destroyers ? no, I view with enthusiasm the virtue of all, the wisdom of those who counselled, the spirit of those who obeyed, I feel an honest satisfaction, that I have drawn my breath in the present age, and anticipate the reverence, posterity will shew to the ashes of the men, who made a boast to be an Irishman. I shall ever rejoice that barriers are opposed to the encroachments of power ; that the temptation, because the ability of men in station to act dishonestly is abridged. But shall I not in the warmth of this exultation, call upon the fortunate of my countrymen, and conjure them, by the spirit that made them free, to compassionate the bondage of their brethren—shall I not tell them that every invasion on our own rights, as it awakens the jealousy of liberty, should excite tenderness for similar violations—I may be told the demand is premature, can any time be premature for a great act of expediency and justice ? nor can any period be less premature ? than a season of profound tranquillity, to revise our system of government, and remove what the lapse of years has left erroneous.—What ! if I am entitled to shoot game on any man's manor, I shall be tenacious of my right ; the law will uphold me, and

and will preserve me harmless in the extreme acts of violence, by which I may support it. And here when the stake is all a man of sense, and spirit can hold dear, are we to be put off with frivolous allegations? what can there be in Ireland now, more than in fifty years hence, why this claim of justice should not be entertained? and either the demand of the Roman Catholics admitted, or satisfactory reasons advanced for the refusal—the truth is the silent acquiescence of the Roman Catholics, is the state secret, the only motive, and indeed the only justification for persisting in this system; and until they can collect sufficient resolution constitutionally to express their feelings, and sufficient unanimity to accompany the demand with all the influence their money can bestow, every period of redress will be unseasonable.*

In the course of this discussion I have declined any interference with the abstract claim of right, not that I abandon the question, but that I dread to agitate it, well aware how the principle may be distorted to subvert any government; and that many, and plausible ob-

* The author wishes to be understood, no person can be farther from advising violence. The situation of the Roman Catholics does not warrant *violence*; in the present state of Ireland, whilst they may pursue their object by means of influence, it would be madness to use any other. The author wishes to impress this idea on the Roman Catholics, that unless they attend strenuously to their own business, no person will do it for them. They certainly could not prevail by disturbing the public tranquillity. But they easily may make themselves of sufficient consequence to have their petition listened to with deference.

jections must lie against my argument, if I encumbered it with that assertion. I demand only for the Roman Catholics that if not attainted of any crime, (and I know not that they are convicted) they be admitted to the benefit of that protection † which is necessary to encourage enterprize and give content to competence. That their industry or the exercise of their talents be not restricted; that property in their hands be not denied its natural influence; that they should not by a reiteration of wrongs, and false charges be compelled in fact to adopt the principles imputed to them; and really to become the heinous delinquents they have been represented.—Is it possible that in a nation which obscure and unknown has by the force of spirit and principle burst suddenly into importance? whilst with few exceptions, the men are still alive who acted the principal party in that glorious revolution; and amidst the patriot bands who gave energy to their exertions: Is it possible I should be necessitated to remind them, that a Roman Catholic, an honest man, paying taxes, and submitting to the ordinances of the state, is entitled to some

† The author having in another place (introduction) distinguished between power and protection; thinks it better to define his meaning.—Under the corporation act in England the dissenters have *protection*, not *power*; they vote for counties as freeholders, but are incapacitated to vote for corporations as freemen, thus they have a certain weight in parliament, but the balance of power is against them—He suggests this, not that he approves the system, but that he thinks it better than that practised with the Roman Catholics.

consideration in the scheme of freedom.—In order to quicken them to a common act of justice, must I inform these men of the whimsical caprice of their laws, that one or two ladies somewhat advanced in years, possess literally a greater share of the representation, than two thirds of their fellow citizens, men denominated by a solemn act of the legislature *his Majesty's dutiful and loyal subjects, the Roman Catholics of Ireland.*

Is the constitution a barren tract upon which they dread too thickly to inhabit? Is it therefore a waste because they have suffered it to over-run with weeds and brambles? unproductive, because they neglect to raise beyond a scanty sustenance? do they mistake for the parsimony of nature, the desolation caused by their own churlish prohibition. Short sighted men, who prefer to imitate the chief of savage banditti, scowling o'er the wilderness he has created around, rather than the industrious husbandman, who shares his harvest with the labourers he had associated, to clear the soil, or to reclaim it; can they not perceive that to liberty, as to parent earth, the cultivator's toil is a grateful oblation, and rewarded with a ten-fold return of abundance; more liberal of her gifts, more profuse of her enjoyments, according to the number and assiduity of those who solicit them.

E R R A T A.

- Introduct. Page 2, for *Que*, read *Quæ*
Page 1, for *whereas*, read *where, as*
Page 4, line 7, dele *comma* after *integrity*
Ibid line 8, after *genius*, read *strength*
Page 12, for *mafs*, read *matter*
Page 14, for *one's interest*, read *a man's interest*
Page 16, line 13, after *not*, a comma
Page 23, line 25, for *to weak*, read *to weather*
Page 29, line 8, for *Ireland*, read *Britain*
Page 34, line 15, dele *of*
Page 35, line 32, for *emerge*, read *merge*
Page 38, line 1, for *mars*, read *are to be*

A T A S H

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OF
THE
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OF
ATASH
FROM
THE
FIRST
SETTLEMENT
TO
THE
PRESENT
TIME
BY
J. H. H. H.
1880